

U.S. Department of Justice

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March 30, 2007

BY CM/ECF

Honorable Joseph J. Farnan, Jr.
J. Caleb Boggs Federal Building
844 N. King Street
Room 4124
Lockbox 27
Wilmington, DE 19801

Re: United States v. Kabiarets, Cr. A. No. 05-111 JJF

Dear Judge Farnan:

The parties to this action believe that a non-trial resolution in this case is possible. The proposed resolution involves the defendant and a third party taking certain actions in the next few weeks. The parties respectfully request that the Court continue the suppression hearing scheduled for April 2, 2007, for about four weeks to allow the parties to attempt to bring their negotiations to a close.

The parties ask that the Court find that a continuance is in the interest of justice, and that the time between April 2, 2007, and the new suppression hearing date should be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A), because the prospect that the defendant's case will be resolved without a trial and other hearings after a brief continuance outweighs the public and the defendant's interest in a speedy trial.

Respectfully,

COLM F. CONNOLLY
United States Attorney

By: /s/ Douglas E. McCann
Douglas E. McCann
Assistant United States Attorney

cc: Christopher Koyste, Esquire